IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Bail Appl..No. 1233 of 2007()

OS.122/2006 of MUNSIFF COURT,MANNARKAD
CRIME NO.4/07 OF AGALY POLICE STATION

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: APPLICANTS/ACCUSED NO.8,12 AND 13

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1. RADHAKRISHNAN @ KANNAN, AGED 34 YEARS,
S/O.SIVARAMAN, PARAKKAL HOUSE, THENKARA,
KOTTIYODE, MANNARKKAD TALUK, TRACTOR DRIVER.

2. MANI @ MANIKUMAR, AGED 44 YEARS,
S/O.MUTHU, PONKATTIL HOUSE, POTTASSERI,
AMBAMKUNNU, MANNARKKAD TALUK, DRIVER OF
TRACTOR KL-10/D-8863.

3. KUTTAN @ KRISHNADAS, AGED 22,
S/O.BALAN, AMBADAM HOUSE, THENKARA,
MANNARKKAD TALUK, TRACTOR CLEANER.

BY ADV. SRI.P.VIJAYA BHANU
SRI.PRASUN.S

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY SHRI P.G.THAMPI (DGP.)

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 1233 OF 2007

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DATED THIS THE 1ST DAY OF MARCH, 2007

O R D E R

Petitioners who are accused Nos.8, 12 and 13 in Crime No.4/07 of Agaly Police Station for offences punishable under sections 342, 395, 427 and 450 IPC read with section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)Act, 1989, seeks their enlargement on bail.

2. The occurrence took place on 10.1.2007 and the petitioners were arrested on 12.1.2007.

3. When the petition came up for hearing, learned counsel for the petitioners submitted that he is not pressing the application so far as it relates to accused Nos.8 and 13 and that he is pressing the application only with regard to the 12th accused.

4. Shri P.G.Thampi, the learned Director General of Prosecutions submitted that he has no objection in the 12th accused being granted bail on appropriate conditions. Accordingly, the 12th accused/2nd petitioner is directed to be released on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Mannarkkad and subject to the following conditions:

1. The 2nd petitioner (12th accused) shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The 2nd petitioner (12th accused) shall make himself available for interrogation as and when required by the Police, till the filing of the final report.

3. The 2nd petitioner (12th accused) shall not influence or intimidate the prosecution witnesses nor shall he/she attempt to tamper with the evidence for the prosecution.

4. The 2nd petitioner (12th accused) shall not commit any offence while on bail.

If the 2nd petitioner (12th accused) commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed in part granting bail to the 12th accused and dismissing the application as not pressed so far as it relates to accused Nos.8 and 13.

V.RAMKUMAR, JUDGE.

dsn